

Town of Superior
Regular Council Meeting Minutes
Thursday–October 1, 2009–7:00 P.M.
Superior Senior Center
360 W. Main Street, Superior, AZ 85173

CALL TO ORDER: Mayor Hing called the meeting to order at 7:12p.m.

SALUTE TO THE FLAG: Mayor Hing led the council, staff and audience in the pledge

OPENING PRAYER: Mayor Hing led council, staff and audience in an opening prayer.

ROLL CALL:

Members Present: Mayor Hing, Vice Mayor Lopez, Councilmember Heglie, Councilmember Pfohl,

Members Absent: Councilmember Peralta, Councilmember Aguilar, Councilmember Gutierrez.

CONSENT AGENDA:

Mayor Hing introduced the items on the consent agenda. The items on the consent agenda for approval were:

1. Approval of minutes for regular meeting September 17, 2009. Correction was made regarding the motion and who 2nd the motion concerning the T-1 Qwest phone line. Let the record show that the motion was made by Councilmember Gutierrez, 2nd by Councilmember Heglie, motion passed unanimously.
2. ADOT IGA Photo Enforcement – Mayor stated this was started with prior council and has been a long delay not due to fault of the town but ADOT cut backs. We are ready for the IGA, Town Manager Melanie confirmed the town is ready and has received the original and they stated there is new legislation coming down regarding the IGA. However we do have the latest version of the IGA. Discussion regarding cost and sites and the purposed route for US 60 and how that will effect. The cost we would incur would be the feed to the units however they are purposing to use Mobil units until it is in place and start generating revenue. There is no time line as of yet and installation sites are just east of Mary Drive on US 60 and the second one will be just west of the Dairy Queen on US 60 just east of Church Street. Yes, there will be administrative cost. Mayor asked Mrs. Oliver to inform Red regarding the construction of expansion of US 60.
3. ADOT IGA for pavement preservation and reconstruction on Main Street. Town Manager very pleased with the good news. Asked Mrs. Brothers to speak on behalf of this project since she has worked very hard on it. We are the only ones located under the ARA, once all of the paper work gets thru they have approved us for \$185,000.00. Maricopa decided they did not want to wait around and gave their share up. At the last meeting Bill Ester stood up and requested that money for the Town of Superior also. It hasn't come thru 100% but it does look good in our favor. If we do get that we will not have to use any of the HURF money. Hopefully by the end of the year we will know and money will be available by spring 2010. Motion to approve consent agenda,

Motion by Councilmember Phofl
2nd Vice Mayor Lopez
Motion carried unanimously.

COMMUNICATION:

Manager's report–Town Manager, Melanie Oliver Report on Sewer collections, Liens and Foreclosures

Mrs. Oliver was happy to report that out of 24 residents half have paid in full or have paid a down payment and made payment arrangements for the balance, 12 are going to be sent for foreclosure. The pending foreclosures are waiting for the courts. Will have a complete update on the very first bunch that went out on Monday's meeting. The draw point for the demand letters is \$800.00 and up. Will have a total amount collected on Monday but can say that on one day we collected \$20,000.00. There is a work session for next week.

BUSINESS POSSIBLE DISCUSSION AND/OR ACTION ON THE FOLLOWING:

RZ-09-01 to rezone 901 W. Main Street to a C-2 General Commercial for a commercial business-Town Manager, Melanie Oliver-staff recommends the passing of the 901 W. Main Street rezoning to C-1 General Commercial. Packet includes information regarding the differences between the C1 and C-2 zoning. The Planning & Zoning Commission has approved of the rezoning. Mr.Guzman thanked Mrs. Oliver and her staff also the council their help in trying to stay close to the economic development of the town. Thank You Very Much. This issue will be on the next election on November 3, 2009.Motion to approve RZ-09-01 to rezone 901 W. Main St. to a C-2 General Commercial for a commercial business was made by Councilmember Heglie, 2nd by Vice Mayor Lopez, and vote carried unanimously- 4 yes votes / 0 against.

Presentation Allied Waste regarding recycling - Informational Item

Ms. Oliver – Let the record show that they are not present tonight, again. Mayor stated if they call they are not to be placed on the agenda again at this time. They have called in the past the day of the meeting, not sure if called this time. Mayor – they were aware they were on the agenda for tonight.

Presentation of Charesmart Credit Card Processing Agreement-Information Item:

Ms. Oliver this is to allow residents to pay their sewer accounts with a debit, credit card or on line. Introduction of Mr. Kim Kartchner he represents a company that allows customers to pay their accounts on line, debit or credit card. This will be available thru the Town of Superior web site. There is no cost to the town what so ever this is a FREE service to the Town of Superior. There is a fee to the customer of \$1.95 per payment which the customer will choose to accept or not accept at the time of the transaction. There is a receipt generated to the customer at the end of the transaction. This is consumer funded. Commercial and past due billing will be charged on a sliding scale which is a slight higher. The money is safe secure, city can have information by the end of the day and money will be in the account the following day.

Presentation Central Arizona Association of Governments, Retired and Senior Volunteer Program (RSVP) Manger, Roy Chavez

Senior Volunteer Program is just that, a program for those 55 and older. This program is region wide. CAAG is the sponsor of the program for Pinal County. There are 50-60 stations between Pinal and Gila Counties. Mr. Chavez gave lot information and some handouts regarding this program. He invited the police dept. and the fire dept. to give him a call so that they can work on a program for the Town of Superior. Is very willing to help implement something and work together with the departments of the town. Any one that is 55 years older can volunteer for these programs.

Discuss/Approve/Reject/ Ordinance Number 108 authorizing the Town Mayor or the town Manager to execute an assignment and assumption of declarant's Corporation, pertaining to the Superior Industrial Park: and assuming and accepting all of the rights, duties and obligations of the declarant under that certain first amended and restated declaration of covenants, conditions and restrictions for Superior Industrial Property dated as of October 6, 1999; and declaring an emergency.

Mayor stated this issue is because BHP had their hands into the industrial park and oversight concerning the CCR Program that any property that was sold or any development had to go back thru to BHP approval. BHP said they did not want to be in that position that is why this is being drafted. Town Manager – Melanie Oliver, read Ordinance 108 for council, staff and audience. Short discussion regarding the ordinance, Mayor Hing stated this is the first reading and we must go to a second reading. There was not a majority vote, due to absent councilmember's.

Motion to approve Ordinance 108 by Vice Mayor Lopez, 2nd by Councilmember Heglie,

Motion passed unanimously.

CALL TO THE PUBLIC;

Mr. Richard Green, question about the Industrial Park from his understanding was sold to Mr. Smith and has been several years and a plan was to have been provided at the time of purchase and did he in fact pay for this property and why it has not been developed. Also was informed that this property was sold to Dr. Wilt by Mr. Smith would like to have staff find out this information and let him know.

Mr. Chavez, leaving hand outs for the public feel free to take the information

Mayor informed public they do have an item for the Executive Session but will go ahead with the Councilmember Comments portion of the meeting.

Council Comments:

Councilmember Pfohl- Wanted to thank Ms. Brother for the tour of the Waste Water Treatment Plant. This was a very good tour learned a lot about the plant and encouraged the councilmember's if they have not toured the plant to do so. Very informative.

Councilmember Heglie- Their will be an interview with Dr. Wilt on Channel 5 @ 10:00pm if anyone is interested in seeing what is happening up in Globe.

Vice Mayor Lopez- No Comments

Mayor Hing – Work session next week Monday/Tuesday regarding finances and lots at the Industrial Park. Some issues that were brought to the council's attention. They will be addressing the conditions of the contract when the property was sold and why there has been no work or building on the property.

Motion to move to Executive Session by Mr. Heglie,
2nd by Vice Mayor Lopez,

Motion carries unanimously. Public was asked to go outside for this session.

Mayor Hing, Vice Mayor Lopez, Town Manager, Councilmen Heglie, Councilmen Pfohl upon returning from the Executive Session stated that the Town Manager- Melanie Oliver would move forward in communicating with Allied Waste.

Motion to adjourn meeting made by Councilmember Heglie,
2nd by Vice Mayor Lopez,

Motion carries unanimously

Meeting adjourned at 9:10 pm

Minutes prepared by Nora A. Miramon/ Deputy Town Clerk
Reviewed by Melanie Oliver / Town Manager

